

September 29, 2003

ENERGY & ENVIRONMENT  
COMMITTEE  
REPORT NO. 12

ALL LEGISLATORS PRESENT EXCEPT LEGISLATOR DUSZA.

1. RESOLVED, that the following items are hereby received and filed.

Item Page -2003 (Comm. 16E-8)  
a. **COUNTY EXECUTIVE:** ECSSTA & ECSD Nos. 1 – 6 – Engineering Service Agreements  
– Information Technology Plan – Work Order – SW-5, Stearns & Wheler.  
(4-0) Legislator Dusza absent.

Item Page -2003 (Comm. 16E-25)  
b. **COUNTY EXECUTIVE:** ECSD No. 3 – Engineering Service Agreements – Work Order  
PH-5.  
(4-0) Legislator Dusza absent.

Item Page -2003 (Comm. 16M-5)  
c. **LAKE PLAINS RESOURCE CONSERVATION & DEVELOPMENT COUNCIL:**  
Forest Management Planning.  
(4-0) Legislator Dusza absent.

2. Item Page -2003 (Comm. 16E-10)  
**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment & Planning, Division of Sewerage Management has identified the need to execute an energy performance contract for the implementation of energy and cost savings measures at the Southtowns Advanced Wastewater Treatment Facility and at the pumping stations and treatment facilities within Erie County Sewer District Nos. 1, 3 and 4; and

WHEREAS, the Erie County Department of Environment & Planning, Division of Sewerage Management has recommended the firm of Siemens Building Technologies, 85 Northpointe Parkway, Suite 8, Amherst, New York 14228.

NOW, THEREFORE, BE IT

RESOLVED, that the firm of Siemens Building Technologies, be retained at a cost not-to-exceed \$2,928,774 and be it further

RESOLVED, that the County Executive be, and hereby is, authorized to execute an Agreement with the firm of Siemens Building Technologies, 85 Northpointe Parkway, Suite 8, Amherst, New York 14228, to complete the energy performance contract, subject to approval as to form by the County Attorney and approval as to content by the Commissioner of the Department of Environment & Planning; and be it further

RESOLVED that the Director of Budget, Management and Finance be directed to allocate funds accordingly, as follows:

- Erie County Sewer District No. 1, Sewer Capital Fund No. 430 694 810, \$5,944.00.
- Erie County Sewer District No. 4, Sewer Capital Fund No. 430 693 810, \$6,518.00.
- Erie County Sewer District No. 3, Sewer Capital Fund Balance Account 220 853 831 698 105, \$5,895.00 and Contractual Services 220 853 830 830.
- Erie County Southtowns, Sewer Capital Fund No. 430 451 830, \$2,910,417.00.

RESOLVED, that the Clerk of the Legislature be directed to send two certified copies of this resolution to Charles J. Alessi, P.E., Deputy Commissioner, Department of Environment and Planning, one copy to Nancy Naples, County Comptroller, and one copy to Gregory Dudek, Assistant County Attorney.  
(4-0) Legislator Dusza absent.

3. Item Page -2003 (Comm. 16E-21)

**COUNTY EXECUTIVE**

**WHEREAS**, the Erie County Department of Environment and Planning has the responsibility for coordinating the New York State Agricultural District Re-certification process for seventeen districts within Erie County; and

**WHEREAS**, the Department of Environment and Planning is currently coordinating the re-certification of the following agricultural districts

1. Brant/Evans #1
2. Brant/Evans #2
3. Elma

and

**WHEREAS**, the primary planner responsible for coordinating the aforementioned process retired from County service in September 2002 thereby leaving a void in expertise relative to the agricultural district process and other rural planning services; and

**WHEREAS**, a variety of issues surfaced during the Brant/Evans #1 and #2 re-certification process thereby requiring an unforeseen expenditure under the initial personal services contract,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the County Executive is hereby authorized to execute a Second Amendatory Agreement to the November 21, 2002 Rural Planning Personal Services Contract with Chester C. Jandzinski, residing at 1650 Hall Road, Elma, New York 14059; and be it further

**RESOLVED**, that the amended agreement shall include an authorized contract amount not to exceed \$21,400; and be it further

**RESOLVED**, that the requirement for requests for proposals in Section 19.08 of the Erie County Administrative Code are hereby waived since this service is a continuation of efforts undertaken through the original five-month contract period and it is not deemed feasible or cost effective for the County to undertake this process; and be it further

**RESOLVED**, that the purpose of said agreement shall be to coordinate the re-certification of various Erie County Agricultural Districts with the New York State Department of Agriculture and Markets, and other rural planning services as deemed appropriate by the Department of Environment and Planning; and be it further

**RESOLVED**, that the source of funds shall be money available within the Erie County Department of Environment and Planning Budget, DAC #290 835620821; and be it further

**RESOLVED**, that certified copies of this resolution shall be forwarded to the County Comptroller, the Commissioner of the Department of Environment and Planning, the Commissioner of Personnel, and the Director of the Division of Budget, Management, and Finance.  
(4-0) Legislator Dusza absent.

**DALE W. LARSON**  
**CHAIRMAN**